

Christopher J. Michie  
Bruce W. Clark  
CLARK MICHIE LLP  
103 Carnegie Center  
Suite 300  
Princeton, NJ 08540  
(609) 955-3477

Russell L. Lichtenstein  
COOPER LEVENSON, P.A.  
1125 Atlantic Avenue  
Atlantic City, NJ 08401  
(609) 318-3904

Attorneys for Defendant  
Marina District Development  
Corporation, LLC d/b/a  
the Borgata Hotel Casino & Spa

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

RAVI MOTWANI and BARRY  
CASSELL, Individually and on  
behalf of a Class of Similarly  
Situated Individuals,

Plaintiffs,

v.

MARINA DISTRICT  
DEVELOPMENT COMPANY,  
LLC d/b/a BORGATA HOTEL  
CASINO AND SPA,

Defendant.

**Civil Action No.  
2:15-cv-02069-JLL-JAD**

**NOTICE OF MOTION  
TO DISMISS**

**ORAL ARGUMENT REQUESTED**

PLEASE TAKE NOTICE that on May 18, 2015, at 10 am or as soon thereafter as counsel may be heard, the defendant, Marina District Development Company, LLC, d/b/a the Borgata Hotel Casino & Spa, shall move before the Honorable Jose L. Linares, U.S.D.J., at the Martin Luther

King Federal Building and Courthouse, 50 Walnut Street, Newark, New Jersey 07102, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the following claims in Plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and Fed. R. Civ. P. 9(b):

- All Counts as to plaintiff Ravi Motwani; and
- The Second Count as to plaintiff Barry Cassell.

PLEASE TAKE FURTHER NOTICE that the Defendant shall rely upon the accompanying brief in support of its motion. Pursuant to L. Civ. R. 78.1, the defendant respectfully requests oral argument.

DATED: April 20, 2015

/s/ Christopher J. Michie  
Christopher J. Michie  
Bruce W. Clark  
CLARK MICHIE LLP  
103 Carnegie Center  
Suite 300  
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/s/ Russell L. Lichtenstein  
Russell L. Lichtenstein  
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**CERTIFICATE OF SERVICE**

I certify that on April 20, 2015, I caused a copy of the foregoing document, together with all supporting papers, to be served via ECF and first class mail upon the following:

Bruce H. Nagel, Esq.  
Randee M. Matloff, Esq.  
NAGEL RICE, LLP  
103 Eisenhower Parkway  
Suite 103  
Roseland, NJ 07068

Counsel for Plaintiffs

/s/ Christopher J. Michie  
Christopher J. Michie